

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE EVERGREEN ULTRA SHORT
OPPORTUNITIES FUND SECURITIES
LITIGATION

No. 1:08-CV-11064-NMG

CLASS ACTION

**LEAD PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT**

Court-appointed Lead Plaintiffs and Class Representatives International Brotherhood of Electrical Workers Local 98, NECA Electrical Workers Joint Apprenticeship Training Trust Fund, First Agency Account LP, Bricklayers and Allied Craftworkers Local 1 of PA/DE Health and Welfare Fund, and the Bricklayers Local 54 of Pennsylvania Supplemental Welfare Fund (collectively, "Lead Plaintiffs"), by and through undersigned counsel, hereby move the Court, pursuant to Fed. R. Civ. P. 23(e), for an order:

(1) preliminarily approving the proposed settlement in this action ("Settlement") as memorialized in the Stipulation of Settlement ("Stipulation"),¹ attached hereto as Exhibit A;

(2) approving the form of class notice described in the Notice of Proposed Settlement of Class Action ("Notice"), attached hereto as Exhibit A-1;

(3) approving the form of the Claim Information Form and Release ("Claim Information Form"), attached hereto as Exhibit A-2; (4) approving the form of the Summary Notice ("Publication Notice"), attached hereto as Exhibit A-3;

¹ The Stipulation contains all material terms of the Settlement, including, *inter alia*, the manner and form of notice to the Class and the contingencies or conditions to the Settlement's final approval.

Motion allowed. ¹ *U.S. District Court, USDC 7/24/12*